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7 -and-

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11 Attorneys for Plaintiff Alere Medical Incorporated

12 UNITED STATES DISTRICT COURT

13 DISTRICT OF NEVADA

14 ALERE MEDICAL INCORPORATED, )

15 Plaintiff, )

16 v. )

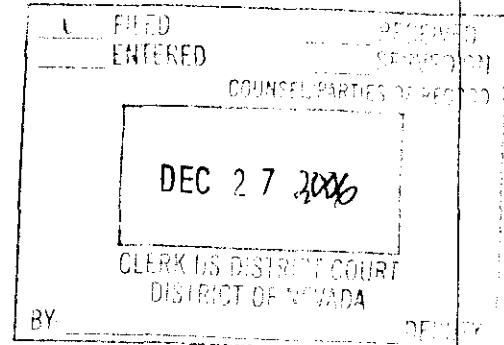
17 CASE NO: 3:06CV00062 ECR (RAM)

18 QMED, Inc., individually and on behalf of its )  
 19 subsidiary, Interactive Heart Management )  
 Corporation, )

20 Defendant. )  
 21 )

22 STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE

23 WHEREAS, the parties have settled and resolved this matter and their underlying dispute  
 24 pursuant to their Settlement Agreement and Mutual Release, IT IS HEREBY STIPULATED by and  
 25 between Plaintiff Alere Medical Incorporated ("Alere") and Defendant QMed Inc., individually and on  
 26 behalf of its subsidiary, Interactive Heart Management Corporation, ("QMed"), through their  
 27  
 28



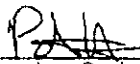
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 Reno, Nevada 89511

1 respective undersigned counsel, that the above-captioned matter be dismissed with prejudice, with  
 2 each party to bear its own fees and costs.

3 This Stipulation may be executed by facsimile signatures with the same force and effect as  
 4 original signatures.

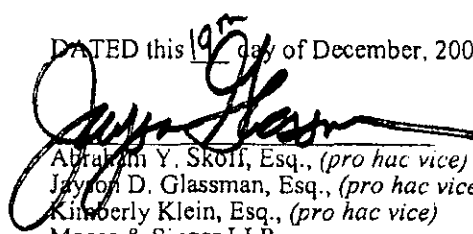
5 DATED this 19<sup>th</sup> day of December, 2006.

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Attorneys for Defendant QMed, Inc., individually  
 and on behalf of its subsidiary, Interactive Heart  
 Management Corporation

17 IT IS SO ORDERED

  
 18 Edward C. Reed

19 UNITED STATES DISTRICT JUDGE

20 DATED: December 27, 2006

Hale Lane Peek Dennison and Howard  
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